

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- against -

RICHARD CHAVERS,

Defendant.

07 CR. 950 (VM)

ORDER

VICTOR MARRERO, United States District Judge.

The Government (see attached letter) requests that the conference scheduled for April 18, 2008 be adjourned for two weeks. The next conference is scheduled for Friday, May 9, 2008 at 10:15 a.m.

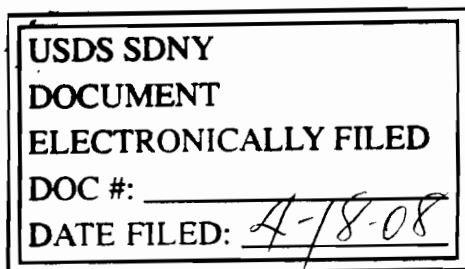
All parties to this action consent to an exclusion of the adjourned time from the Speedy Trial Act until May 9, 2008.

It is hereby ordered that the adjourned time shall be excluded from speedy trial calculations. This exclusion is designed to guarantee effectiveness of counsel and prevent any possible miscarriage of justice. The value of this exclusion outweighs the best interests of the defendants and the public to a speedy trial. This order of exclusion of time is made pursuant to 18 U.S.C. §§ 3161(h)(8)(B)(ii) & (iv).

SO ORDERED :

Dated: New York, New York
18 April 2008

Victor Marrero
U.S.D.J.



**U.S. Department of Justice**

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

April 18, 2008

BY HAND AND FAX

The Honorable Victor Marrero
United States District Judge
Southern District of New York
Daniel P. Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

**Re: *United States v. Richard Chavers*
07 Cr. 950 (VM)**

Dear Judge Marrero:

I am writing to seek to adjourn a pre-trial conference and to exclude time in the above-referenced case. Your Honor set a pre-trial conference for today, April 18, 2008, at 10:45 a.m. In the meantime, defense counsel and I have been discussing a potential pre-trial disposition of this case, and I expect that the parties would have requested a short adjournment at today's conference in order to attempt to reach a disposition. However, I failed to order the defendant for production in Court today, and, accordingly, the defendant would not be present should the conference take place.

I have spoken with defense counsel, and, in light of my failure to order the defendant, the parties jointly request an adjournment in order to continue those discussions, as well as for defense counsel to continue reviewing discovery.

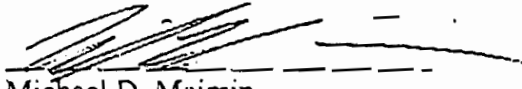
The Government proposes an adjournment of at least two weeks in order to allow the parties to attempt to reach a pre-trial disposition of the case. Additionally, the Government respectfully requests that time be excluded until March 14, 2008 under the Speedy Trial Act, Title 18, United States Code, Section 3161, *et seq.* so that the parties may continue to discuss disposition, the defendant and defense counsel may continue to review discovery and the defendant may consider pre-trial motions.

Hon. Victor Marrero
April 18, 2008
Page 2 of 2

I have spoken with defense counsel, who consents to the adjournment and exclusion of time.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By: 
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Assistant United States Attorney
Southern District of New York
(212) 637-2238

cc: Andrew Patel, Esq. (by fax)